

1651
Inventor

Attorney's Docket No. S&P.33947

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the **HIROFUMI YURA ET AL.**
Application of:

Application No.: **09/937,510**
Filing Date: **01/23/2002**
Title: **METHOD FOR
SELECTIVELY
SEPARATING BLOOD
CELLS BY USING LECTIN**

Examiner: **JEAN C. WITZ**

Art Unit: **1651**

RESPONSE TRANSMITTAL

The Assistant Commissioner for Patents
BOX NO FEE AMENDMENT
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith is a Response to Restriction Requirement and Amendment for this application.

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as 1st Class Mail addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/28/03.

By: Karen M. Gogulski

The fee for claims has been calculated as shown below:

CLAIMS	FOR	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c))	10	- 20	= 0	x \$18.00 =	\$
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	1	- 3	=	x \$86.00 =	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				\$290.00	\$
				Total of Above Calculations =	\$ -0-	
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).					
				TOTAL =	\$ -0-	

 Applicant hereby claims small entity status under 37 C.F.R. § 1.27.

 A check is enclosed to cover the \$ fee for the presentation of additional claims.

 X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for an extension of time.

 Applicant hereby petitions for a:

- one month (37 C.F.R. § 1.17(a)): \$110.00/\$55.00
- two month (37 C.F.R. § 1.17(b)): \$420.00/\$210.00
- three month (37 C.F.R. § 1.17(c)): \$950.00/\$475.00
- four month (37 C.F.R. § 1.17(d)): \$1,480.00/\$740.00
- five month (37 C.F.R. § 1.17(d)): \$2,010.00/\$1,005.00

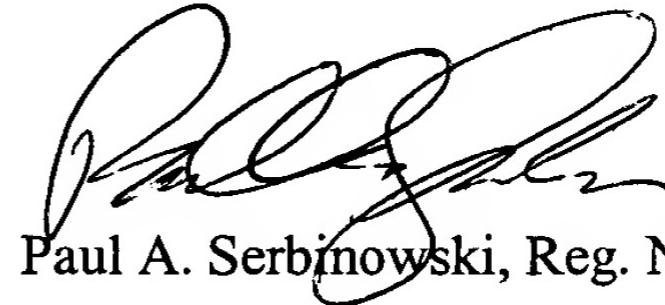
extension of time pursuant to 37 C.F.R. § 1.136(a). If an additional extension of time is required, please consider this a petition therefor.

 A check is enclosed to cover the \$ extension of time fee under 37 C.F.R. § 1.17.

 Charge Deposit Account No. 16-0820 (our Order No. S&P.33947) in the amount of \$.

X The Commissioner is hereby authorized to credit any overpayment or to charge any fees under 37 C.F.R. §§ 1.16, 1.17 in connection with this communication to our Deposit Account No. 16-0820 (our Order No.S&P.33947).

Respectfully submitted,



Paul A. Serbinowski, Reg. No. 34429

Date: October 28, 2003

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PATENT

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In re application of Hirofumi Yura et al.

Serial No.: 09/937,510

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Filed: 01/23/2002

Examiner: Jean C. Witz

For: METHOD FOR SELECTIVELY SEPARATING BLOOD CELLS BY USING
LECTIN

Docket No.: S&P.33947

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Commissioner For Patents
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RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

Dear Sir:

In response to the Office Action mailed October 3, 2003, Applicants hereby provisionally elect with traverse to prosecute the invention of Group I, claims 1 and 6-9, directed to a method for selectively separating and recovering hematopoietic cells and/or erythroblasts from a blood sample.

Applicants also amend the application hereby. Amendments to the Claims begin on page 2. Remarks are on page 4.

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as first class mail addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the dated indicated below.

Date: 10/23/03

By: Jollen M. Mezalac